

Contextualize, classify, measure: An evidence-based approach to defining institutional legal translation

Fernando Prieto Ramos

University of Geneva

Legislative translation has traditionally been at the centre of academic approaches to legal translation, in line with the prominent role of legislation in legal studies. However, as increasingly highlighted in Legal Translation Studies, theories of legal translation must consider the broader range of communicative situations and genres that are found “within the mechanism of the law” (Šarčević’s 1997: 55). In terms of research design, this means that explicit text classification and legal contextualization are mandatory steps to define the object of study and obtain reliable results. In turn, delineating the textual boundaries of specific branches of legal translation is often compounded by the interconnection of legal functions, themes and discourses. This applies to institutional legal translation as the cornerstone of multilingualism of international organizations and their policies. While translation practices in law-making have been the focus of multiple studies in the field, particularly in the European Union (e.g. Felici 2010, Kjær 2007), other contexts of multilingual text production and application have attracted more limited attention. Against this background, the methodological challenges and first results of a large-scale mapping of institutional legal translation will be outlined, including three representative international settings: the European Union, the United Nations and the World Trade Organization. A cyclical multidimensional approach is applied to three large corpora covering three annual intervals per setting. The entire multilingual text production of the relevant organizations is classified under three types of procedures: law-making, implementation monitoring and adjudication (as identified in Prieto Ramos 2014). Text taxonomies are incorporated within a matrix composed of primary categories and several subcategories, according to legal functions. The data obtained from this comparative mapping will provide empirical support to the subsequent description of translation features and analyses of quality in this area.

References

- Felici, A. (2010). “Translating EU law: legal issues and multiple dynamics”. *Perspectives* 18 (2): 95–108.
- Kjær, A. L. (2007). “Legal Translation in the European Union: A Research Field in Need of a New Approach”. In K. Kredens and S. Goźdz-Roszkowski (eds), *Language and the Law: International Outlooks*. Frankfurt: Peter Lang, pp. 69–95.
- Prieto Ramos, F. (2014). “International and supranational law in translation: from multilingual lawmaking to adjudication”. *The Translator* 20 (3): 313–331.
- Šarčević, S. (1997). *New Approach to Legal Translation*. The Hague: Kluwer Law International.